

PERMANENT ASSIGNMENT
TO JUDGE Hegy
ECB 611

Terry Goddard
Attorney General
(Firm State Bar No. 14000)
Nancy V. Anger
Assistant Attorney General
State Bar No. 66810
Office of the Attorney General
1275 West Washington Street
Phoenix, AZ 85007
consumer@azag.gov
Inv2009-069/532320

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8/17/09 1:30pm
MICHAEL K. JEANES, Clerk
By K. Ballard
K. Ballard, Deputy

Attorneys for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

STATE OF ARIZONA, *ex rel.* TERRY
GODDARD, Attorney General,

Plaintiff,

vs.

MICHAEL MCCONVILLE; PROPERTY
TAX REVIEW BOARD, INC., a Delaware
Corporation and CARMEN MERCER,

Defendant(s)

Case No.: CV2009-025967

**TEMPORARY
RESTRAINING ORDER**

Plaintiff, having filed a Verified Complaint and an application for a Temporary Restraining Order, the Court having considered the State's Application and the accompanying declarations and letter, and having determined that unless a Temporary Restraining Order is granted, immediate and irreparable injury, loss or damage will result to the people of the state of Arizona before defendants or their attorneys can be heard in opposition.

The Court having jurisdiction over the parties and the subject matter hereof and good cause appearing:

1 IT IS THEREFORE ORDERED that defendants Michael McConville; Property Tax
2 Review Board, Inc. and Carmen Mercer, their respective officers, directors, agents, servants,
3 employees, successors, accountants, attorneys and assigns, and those persons in active concert or
4 participation with them, who receive actual notice of this Order, be and hereby are temporarily
5 restrained, directly or indirectly, from:

6 1. Soliciting any Arizona property owner by mail, telephone and/or internet to
7 purchase property tax reduction services;

8 2. Offering assistance to any Arizona property owner to apply for and/or appeal
9 decisions related to property tax reassessment;

10 3. Representing to any Arizona property owner that a property tax reduction can be
11 obtained on their behalf;

12 4. Providing any Arizona property owner an authorization that purports to allow
13 defendants to prepare, sign and/or file an application and/or appeal to request a property tax
14 reduction;

15 5. Soliciting monies from any Arizona property owner to pay for property tax
16 reduction services;

17 6. Receiving monies, in any form, from any Arizona property owner who responds to
18 defendants' solicitation regarding property tax reduction services;

19 7. Removing any and all mail from P.O. Box 66762 in Phoenix, Arizona;

20 8. Opening a post office box at any post office located in Arizona or a mail drop box
21 at any Arizona mail facility for the purpose of receiving monies from property owners who were
22 solicited to purchase property tax reduction services;

23 6. Operating any business in the state of Arizona which purports to offer property tax
24 reduction services to any consumer.

25 7. Transferring, receiving, dissipating, altering, selling, pledging, assigning,
26 encumbering, expending, liquidating or otherwise disposing of any assets, funds or property

1 owned, controlled or in the possession of said defendants, their officers, agents, servants,
2 employees and attorneys and all persons in active concert or participation with them, to the
3 extent that such assets, funds or property was acquired by means of the unlawful conduct alleged
4 in plaintiff's complaint;

5 8. Destroying, concealing, defacing or otherwise altering or disposing of any books,
6 records, accounts, mail papers, memos or any other documents or things of any kind or nature,
7 of or relating to the business or financial affairs of defendant Property Tax Review Board.

8 IT IS FURTHER ORDERED that plaintiff shall forthwith file this Temporary
9 Restraining Order with the Clerk of the court and serve copies of said Order on the defendants
10 and all others whom plaintiffs have reason to believe may possess any of the records or property
11 covered by this Order or may be otherwise affected by this Order.

12 IT IS FURTHER ORDERED that each defendant served with a copy of this Order shall
13 forthwith give actual notice of this Order to each of said defendant's officers, directors, agents,
14 servants, attorneys, employees, accountants, assigns and to each person in active concert or
15 participation with that defendant.

16 DONE ~~IN OPEN COURT~~ this 13th day of August, 2009.

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JUDGE OF THE SUPERIOR COURT

21 **HUGH E. HEGYI**
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